

EXHIBIT 1

Court Subpoena

United States District Court
SOUTHERN DISTRICT OF NEW YORK

TO: Michael Avenatti
c/o Robert M. Baum, Esq.
Federal Defenders of New York, Inc.
52 Duane Street, 10th Floor
New York, New York 10007

GREETINGS:

WE COMMAND YOU that all and singular business and excuses being laid aside, you appear and attend before the United States District Court for the Southern District of New York, 40 Foley Square, in the Borough of Manhattan, City of New York, New York, in the Southern District of New York, at the following date, time and place:

Appearance Date: January 24, 2022 Appearance Time: 9:30 a.m.
Appearance Place: Courtroom TBD
to testify and give evidence in the following matter:
United States v. Michael Avenatti, 19 Cr. 374 (JMF)

and not to depart the Court without leave thereof, or of the United States Attorney.

You may comply with this subpoena by electronically providing the documents requested in the rider to the Assistant United States Attorneys assigned to this case on or before January 24, 2022, at 9:30 a.m. (See Dkt. No. 160 at 1.)

Failure to attend and produce any items hereby demanded will constitute contempt of court and will subject you to civil sanctions and criminal penalties, in addition to other penalties of the Law.

DATED: New York, New York
January 10, 2022

Damian Williams
DAMIAN WILLIAMS
United States Attorney for the
Southern District of New York

Robert B. Sobelman
Robert B. Sobelman
Assistant United States Attorney
One St. Andrew's Plaza
New York, New York 10007
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The image shows the official seal of the United States District Court for the Southern District of New York. The seal is circular with a rope-like border. Inside the border, the text "UNITED STATES DISTRICT COURT" is at the top and "FOR THE SOUTHERN DISTRICT OF NEW YORK" is at the bottom. In the center is an eagle with spread wings. Overlaid on the seal is a large, handwritten signature in black ink, which appears to be "Fubry".

RIDER

(Trial Subpoena to Michael Avenatti, dated January 10, 2022)
Ref. No. 19 Cr. 374 (JMF)

Definitions and Instructions:

1. This Subpoena calls for the production of specific documents – including those maintained in digital or hard copy format – in your possession, custody, or control.
2. With the exception of documents containing handwritten notes, please produce requested records in electronic form (native format where necessary to view the material in its full scope) in a manner that is OCR-searchable, and with all available electronic metadata. Please provide the originals of all papers, notepads, notebooks, diaries, or calendars upon which responsive handwritten notes may be found.
3. The term “documents” includes writings, emails, text messages, WhatsApp messages, drawings, graphs, charts, calendar entries, photographs, audio or visual recordings, images, and other data or data compilations, and includes materials in both paper and electronic form.
4. The term “documents” does not include any materials that you have already produced to the United States Attorney’s Office for the Southern District of New York pursuant to Rule 16(b) of the Federal Rules of Criminal Procedure. (*See* Dkt. No. 213 (“Defendant is granted until January 18, 2022, to complete his production of Rule 16(b) materials, on condition that he produces them on a rolling basis beginning January 12, 2022.”).)

Materials to be Produced:

Produce the documents from a “forensic copy” of servers belonging to your former law firm, Eagan Avenatti LLP, that were identified during your “preliminary review” of those materials, as referenced in your motion filed in *United States v. Avenatti*, 19 Cr. 374 (JMF), on December 13, 2021, to wit:

(i) email communications: (a) between Mr. Avenatti and Ms. Clifford, (b) between Mr. Avenatti and the book agent and publisher, (c) between Mr. Avenatti and Ms. Clifford’s business manager, and (d) between Mr. Avenatti and others relating to his work for Ms. Clifford on the book and otherwise; (ii) financial data relating to Mr. Avenatti’s representation of Ms. Clifford, including costs and expenses incurred on her behalf and payments of cash made to her, all of which Mr. Avenatti was entitled to be reimbursed; and (iii) documents relating to Mr. Avenatti’s work on the book deal and representation of Ms. Clifford under their fee agreement.

(Dkt. No. 190 at 7.)